

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Todd M. Smith
Debtor(s)

Bankruptcy Case No.: 18-22548-GLT
Issued Per 2/18/2021 Proceeding
Chapter: 13
Docket No.: 125 – 120, 123
Concil. Conf.: February 18, 2021 at 09:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated November 17, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$4,286.00 as of March, 2021. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Feb. 18, 2021 at 09:00 AM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteewdpa.com.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 15 of Loan Care with payment changes of record, Claim No. 1 of HSBC Bank with payment changes of record, Claim No. 16 of Avalon Borough .
- ☒ H. Additional Terms: The Trustee's Certificate of Default [Dkt. No. 120] is resolved by this confirmation order.

No payments to Toyota Lease Trust as lease has been paid in full.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

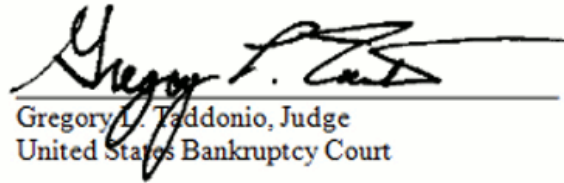
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: February 18, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Todd M. Smith
Debtor

Case No. 18-22548-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Feb 18, 2021

User: dbas
Form ID: 149

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Total Noticed: 44

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 20, 2021:

Recip ID	Recipient Name and Address
db	+ Todd M. Smith, 3923 Laurel Oak Circle, Murrysville, PA 15668-8500
cr	+ Borough of Avalon, Goehring, Rutter, and Boehm, 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219 UNITED STATES 15219-6101
cr	+ HSBC BANK USA, NATIONAL ASSOCIATION, 14841 DALLAS PKWY SUITE 425, Dallas, TX 75254-8067
cr	+ HSBC BANK USA, NATIONAL ASSOCIATION, 8742 Lucent Blvd, Suite 300, Highlands Ranch, CO 80129-2386
cr	+ Penn Hills School District and Municipality of Pen, Tax Division, c/o Maiello, Brungo & Maiello, LLP, Foxpointe II, 100 Purity Rd, Ste. 3 Pittsburgh, PA 15235-4441
cr	+ Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300, Highlands Ranch, CO 80129-2386
14886095	+ Alison White, 6216 Antler Hill Drive, Trafford, PA 15085-2310
14870517	++ BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238 address filed with court:, Bank of America, PO Box 982238, El Paso, TX 79998-2238
14870516	Bank of America, PO Box 31785, Tampa, FL 33631-3785
14870518	Barclay, Credit Card Payments, PO Box 13337, Philadelphia, PA 19101-3337
14967908	+ Borough of Avalon, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building Pittsburgh, PA 15219-6101
14945653	Borough of Avalon, c/o Jordan Tax Service, Inc., 102 Rahway Road, McMurray, PA 15317-3349
14945654	Borough of Avalon, PO Box 645138, Pittsburgh, PA 15264-5138
14892993	C/O Wells Fargo Bank, N.A., as servicer, Default Document Processing, N928601Y 1000 Blue Gentian Road, Eagan, MN 551217700
14945657	County of Allegheny, c/o Jordan Tax Service, PO Box 200, Bethel Park, PA 15102-0200
14945658	+ County of Allegheny, c/o John K. Weinstein, County Treasurer, PO Box 643385, Pittsburgh, PA 15264-3385
14909031	DITECH FINANCIAL LLC, P.O. BOX 6154, RAPID CITY SD 57709-6154
14870521	+ Ditech, PO Box 6172, Rapid City, SD 57709-6172
14870522	+ Fidelity National Title Insurance Co., 601 Riverside Ave., Jacksonville, FL 32204-2901
14870523	+ Fidelity National Title Insurance Co., c/o Nicole Cohen, Esquire, 1515 Market St., Suite 1410, Philadelphia, PA 19102-1913
14895104	+ Fidelity National Title Insurance Company, c/o Dana B. Ostrovsky, Fidelity National Law Group, 1515 Market Street, Suite 1410, Philadelphia, PA 19102-1913
14887838	HSBC Bank USA, National Association, as Trustee, c/o Wells Fargo Bank, N.A., as servicer, Default Document Processing, N9286-01Y, 1000 Blue Gentian Road Eagan, MN 55121-7700
15125199	LOANCARE, LLC, 3637 SENTARA WAY, VIRGINIA BEACH, VA 23452-4262
14891910	+ Penn Hills Municipality, c/o Maiello Brungo & Maiello, 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441
14891911	+ Penn Hills School District, c/o Maiello Brungo & Maiello, 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441
14888171	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
15015445	+ Specialized Loan Servicing LLC, 6200 S. Quebec Street, Greenwood Village, CO 80111-4720
14937225	+ THE BANK OF NEW YORK MELLON, Bayview Loan Servicing, LLC, 4425 Ponce De Leon Blvd., 5th Floor, Coral Gables FL 33146-1837
14902266	THE BANK OF NEW YORK MELLON FKA THE BANK, Bank of America, PO BOX 31785, Tampa FL 33631-3785
14886106	++ TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026 address filed with court:, Toyota Motor Leasing, 5005 N. River Blvd. NE, Cedar Rapids, IA 52411-6634
14889759	+ Toyota Lease Trust, c/o Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
14894965	U.S. Bank National Association, as Trustee for J.P. C/O Wells Fargo Bank, N.A., as servicer, Default Document Processing, N928601Y 1000 Blue Gentian Road, Eagan, MN 551217700
14945665	+ Waste Management, P.O. Box 13577, Philadelphia, PA 19101-3577
14870526	+ Wells Fargo Home Mortgage, PO Box 10335, Des Moines, IA 50306-0335
14945670	West View Water Authority, PO Box 747107, Pittsburgh, PA 15274-7105
14945671	+ White Oak Borough, 2280 Lincoln Way, White Oak, PA 15131-2489

TOTAL: 36

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

District/off: 0315-2

User: dbas

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Total Noticed: 44

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
14870519	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Feb 19 2021 02:34:40	Capital One Bank, PO Box 71083, Charlotte, NC 28272-1083
14897225	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Feb 19 2021 02:34:42	Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
14906433	+ Email/Text: kbarkley@bernsteinlaw.com	Feb 19 2021 03:30:00	Duquesne Light Company, c/o Bernstein-Barkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
14870524	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Feb 19 2021 02:44:22	Home Depot/Citi Cards, c/o Portfolio Recovery Associates, 120 Corporate Blvd., Attn: Carrie Brown, Esq., Norfolk, VA 23502-4952
14870520	Email/PDF: ais.chase.ebn@americaninfosource.com	Feb 19 2021 02:44:04	Chase Bank, P.O. Box 15298, Wilmington, DE 19850-5298
14870525	Email/Text: Bankruptcy.Notices@pnc.com	Feb 19 2021 03:29:00	PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222
14908932	Email/Text: Bankruptcy.Notices@pnc.com	Feb 19 2021 03:29:00	PNC Bank, N.A., PO Box 94982, Cleveland, OH 44101
14895661	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Feb 19 2021 02:52:36	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541

TOTAL: 8

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		BAYVIEW LOAN SERVICING, LLC
cr		Fidelity National Title Insurance Company
cr		HSBC Bank USA, National Association As Trustee Et
cr		LOANCARE, LLC
cr		THE BANK OF NEW YORK MELLON
cr		THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YO
cr		Toyota Motor Credit Corporation, as servicer for T
cr		U.S. BANK NATIONAL ASSOCIATION, Et.al.
cr	*+	Duquesne Light Company, c/o Bernstein-Barkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr	*+	Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
14945649	*+	Alison White, 6216 Antler Hill Drive, Trafford, PA 15085-2310
14886097	*P++	BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238, address filed with court:, Bank of America, PO Box 982238, El Paso, TX 79998-2238
14945651	*P++	BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238, address filed with court:, Bank of America, PO Box 982238, El Paso, TX 79998-2238
14886096	*	Bank of America, PO Box 31785, Tampa, FL 33631-3785
14945650	*	Bank of America, PO Box 31785, Tampa, FL 33631-3785
14886098	*	Barclay, Credit Card Payments, PO Box 13337, Philadelphia, PA 19101-3337
14945652	*	Barclay, Credit Card Payments, PO Box 13337, Philadelphia, PA 19101-3337
14886099	*	Capital One Bank, PO Box 71083, Charlotte, NC 28272-1083
14945655	*	Capital One Bank, PO Box 71083, Charlotte, NC 28272-1083
14886101	*+	Ditech, PO Box 6172, Rapid City, SD 57709-6172
14945659	*+	Ditech, PO Box 6172, Rapid City, SD 57709-6172
14886102	*+	Fidelity National Title Insurance Co., 601 Riverside Ave., Jacksonville, FL 32204-2901
14945660	*+	Fidelity National Title Insurance Co., 601 Riverside Ave., Jacksonville, FL 32204-2901
14886103	*+	Fidelity National Title Insurance Co., c/o Nicole Cohen, Esquire, 1515 Market St., Suite 1410, Philadelphia, PA 19102-1913
14945661	*+	Fidelity National Title Insurance Co., c/o Nicole Cohen, Esquire, 1515 Market St., Suite 1410, Philadelphia, PA 19102-1913
14886104	*+	Home Depot/Citi Cards, c/o Portfolio Recovery Associates, 120 Corporate Blvd., Attn: Carrie Brown, Esq., Norfolk, VA 23502-4952
14945662	*+	Home Depot/Citi Cards, c/o Portfolio Recovery Associates, 120 Corporate Blvd., Attn: Carrie Brown, Esq., Norfolk, VA 23502-4952
14886100	*P++	JPMORGAN CHASE BANK N A, BANKRUPTCY MAIL INTAKE TEAM, 700 KANSAS LANE FLOOR 01, MONROE LA

District/off: 0315-2

User: dbas

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		71203-4774, address filed with court:, Chase Bank, P.O. Box 15298, Wilmington, DE 19850-5298
14945656	*P++	JPMORGAN CHASE BANK N A, BANKRUPTCY MAIL INTAKE TEAM, 700 KANSAS LANE FLOOR 01, MONROE LA 71203-4774, address filed with court:, Chase Bank, P.O. Box 15298, Wilmington, DE 19850-5298
14886105	*P++	PNC BANK RETAIL LENDING, P O BOX 94982, CLEVELAND OH 44101-4982, address filed with court:, PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222
14945663	*P++	PNC BANK RETAIL LENDING, P O BOX 94982, CLEVELAND OH 44101-4982, address filed with court:, PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222
14907143	*P++	PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067, address filed with court:, Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15024433	*+	Specialized Loan Servicing LLC, 6200 S. Quebec Street, Greenwood Village, CO 80111-4720
14945664	*P++	TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026, address filed with court:, Toyota Motor Leasing, 5005 N. River Blvd. NE, Cedar Rapids, IA 52411-6634
14897960	*	U.S. Bank National Association, as Trustee for J.P. C/O Wells Fargo Bank, N.A., as servicer, Default Document Processing, N928601Y 1000 Blue Gentian Road, Eagan, MN 551217700
14945666	*+	Waste Management, P.O. Box 13577, Philadelphia, PA 19101-3577
14870527	*+	Wells Fargo Home Mortgage, PO Box 10335, Des Moines, IA 50306-0335
14870528	*+	Wells Fargo Home Mortgage, PO Box 10335, Des Moines, IA 50306-0335
14886107	*+	Wells Fargo Home Mortgage, PO Box 10335, Des Moines, IA 50306-0335
14886108	*+	Wells Fargo Home Mortgage, PO Box 10335, Des Moines, IA 50306-0335
14886109	*+	Wells Fargo Home Mortgage, PO Box 10335, Des Moines, IA 50306-0335
14945667	*+	Wells Fargo Home Mortgage, PO Box 10335, Des Moines, IA 50306-0335
14945668	*+	Wells Fargo Home Mortgage, PO Box 10335, Des Moines, IA 50306-0335
14945669	*+	Wells Fargo Home Mortgage, PO Box 10335, Des Moines, IA 50306-0335

TOTAL: 8 Undeliverable, 36 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 20, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 18, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Toyota Motor Credit Corporation as servicer for Toyota Lease Trust bnicholas@kmlawgroup.com
Dana B. Ostrovsky	on behalf of Creditor Fidelity National Title Insurance Company dana.ostrovsky@fnf.com timothy.destefano@fnf.com;mary.lopez@fnf.com
Jeffrey R. Hunt	on behalf of Creditor Borough of Avalon jhunt@grblaw.com cnoroski@grblaw.com
Jennifer L. Cerce	on behalf of Creditor Penn Hills School District and Municipality of Penn Hills jlc@mbm-law.net
Jerome B. Blank	on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION Et.al. pawb@fedphe.com
Jodi L. Hause	on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION Et.al. jodi.hause@phelanhallinan.com, pawb@fedphe.com
Jodi L. Hause	on behalf of Creditor LOANCARE LLC jodi.hause@phelanhallinan.com, pawb@fedphe.com

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Kenneth Steidl

on behalf of Debtor Todd M. Smith julie.steidl@steidl-steinberg.com
ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@st
eidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com

Keri P. Ebeck

on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com

Kevin Scott Frankel

on behalf of Creditor BAYVIEW LOAN SERVICING LLC pabk@logs.com

Mario J. Hanyon

on behalf of Creditor LOANCARE LLC wbecf@brockandscott.com, mario.hanyon@brockandscott.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Raymond M Kempinski

on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE
CERTIFICATEHOLDERS CWALT, INC., ALTERNATIVE LOAN TRUST 2006-14CB MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2006-14CB ecfmil@mwc-law.com, ecfmil@ecf.courtdrive.com

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

Thomas Song

on behalf of Creditor LOANCARE LLC pawb@fedphe.com

TOTAL: 16